IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 4388/2005
(Sajjan Singh Solanki Vs. State of Rajasthan & Ors.)

Date of Order : 12/02/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Vineet Kumar Mathur for the petitioner.
Mr. Rameshwar Dave, Dy. Govt. Advocate for respondents.

BY THE COURT:-

By the instant writ petition, the petitioner has impugned the order Annex.2 dated 08.07.2005 by which the petitioner who is Lower Division Clerk, was transferred from Kanod to Nathdwara.

I have heard learned counsel for the parties.

By order dated 26.7.2005, the effect and operation of the order dated 8.7.2005 (Annex.2) qua the petitioner was stayed by this Court. Thus, the petitioner continued to remain at Kanod the place from where he was sought to be transferred. Since, the petitioner had been continuing at Kanod even after the order of transfer Annex.2 for more than one and half years, in my view, no useful purpose would be served in allowing the

impugned order to stand after such a long period.

Without examining the case of the petitioner on merit, I consider it just and proper to allow the writ petition on the ground that the petitioner has not been dislodged from the place from which he was sought to be transferred for a long time.

In the result, the writ petition is allowed. The order Annex.2 dated 8.7.2005 is set aside. However, it will be open for the respondents to make a fresh order if the exigency of service so requires. Stay petition also stands disposed of. No order as to costs.

(H.R.PANWAR),J.

rp